IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 2ND MARCH 2007 / 11TH PHALGUNA 1928

AS.No. 86 of 2002()

OS.259/1998 OF SUBORDINATE JUDGE'S COURT, KOZHIKODE

APPELLANT: DEFENDANT:

BHAGAVATHI KAVIL B.K. MOHANAN,
S/O. VASU, BUSINESS, 36/1004,
VINEETH, KACHERI VILLAGE,
KACHERI DESOM OF KOZHIKODE TALUK.
(DIED – LRS. IMPLEADED)

ADDL.2. P.P.SANTHA, W/O.B.K.MOHANAN,
KOLLANARAMBATH HOUSE, P.O.VENGERI,
CALICUT – 10.

" 3. B.K.VINEETH (MINOR) BY GUARDIAN P.O.SANTHA, -DO- -DO-

LEGAL HEIRS OF THE DECEASED SOLE APPELLANT ARE IMPLEADED AS ADDITIONAL APPELLANTS 2 AND 3 AS PER ORDER IN I.A.NO.1632 OF 2005, DATED 7.6.2005.

BY ADV. SRI.A.P.CHANDRASEKHARAN
SRI.T.SETHUMADHAVAN

RESPONDENT:PLAINTIFF:

SREE GANESH BANKERS, PUTHIYANGADI AMSOM,
EDAKKADE DESOM OF KOZHIKODE TALUK.

BY ADVS.M/S. M C SEN, M.P.SREEKRISHNAN AND
SHAHNA KARTHIKEYAN

THIS APPEAL SUITS HAVING BEEN FINALLY HEARD ON 02/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

CMP.NO.2593/2001 IN CMC.NO.28/2001 IN AS.NO.86/2002

DISMISSED

SD/- KURIAN JOSEPH, JUDGE

2/3/2007 SD/- K.T.SANKARAN, JUDGE

//TRUE COPY//

ahz/

KURIAN JOSEPH & K.T. SANKARAN, JJ.

A.S. NO. 86 OF 2002

Dated this the 2nd day of March, 2007

JUDGMENT

Kurian Joseph, J.

It is submitted that the dispute has been settled between the parties. A memo to that effect, dated 26.2.2007, has been filed by the counsel for the appellant. The memo is recorded and the appeal is dismissed as settled out of court.

The appellant was permitted to file this appeal in forma pauperis. Since the appeal is dismissed as settled out of court, it is made clear that the liability of the appellant is only to pay one-half of the court fee.

(KURIAN JOSEPH)
Judge

(K.T.SANKARAN)
Judge

ahz/

KURIAN JOSEPH&
K.T.SANKARAN, JJ.

A.S.NO. 86 OF 2002

JUDGMENT

2nd March, 2007